

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

MARCEL.US DWAIN WILLIAMS,

Plaintiff,

v.

CIVIL ACTION NO. 3:17-3714

WEST VIRGINIA REGIONAL
JAIL AUTHORITY, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Dwane L. Tinsley, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court deny as moot PrimeCare's Motion to Dismiss or, in the alternative Motion for Summary Judgment (ECF No. 15) and Supplemental Motion to Dismiss (ECF No. 35) and deny Plaintiff's Motion for Entry of Default Judgment (ECF No. 49). Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DENIES as moot** PrimeCare's Motion to Dismiss or, in the alternative Motion for Summary Judgment (ECF No. 15) and Supplemental Motion to Dismiss (ECF No. 35) and **DENIES** Plaintiff's Motion for Entry of Default Judgment (ECF No. 49), consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: August 15, 2018

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE